

**CITY COUNCIL MEETING  
FEBRUARY 12, 2002**

<b>Date &amp; Time</b>	<b>On the 12<sup>th</sup> day of February, A.D., 2002, the City Council of the City of Fort Worth, Texas, met in regular session at 7:16 p.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:</b>
<b>Attendance</b>	<b>Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. With more than a quorum present, the following business was transacted:</b>
<b>Invocation</b>	<b>The invocation was given by Reverend Steve Wagnon, Prayer of Faith Temple.</b>
<b>Pledge</b>	<b>The Pledge of Allegiance was recited.</b>
<b>Minutes</b>	<b>On motion of Council Member Silcox, seconded by Council Member Haskin, the minutes of the regular meeting of February 5, 2002, were approved unanimously.</b>
<b>Special Presentations</b>	<b>Council Member Wentworth presented a Proclamation for Engineers Week.</b>  <b>Council Member Davis presented a Proclamation for Congenital Heart Defect Awareness Day.</b>  <b>Mr. Jay Long, Fort Worth Coca-Cola Bottling Company representative, and Mr. Ronnie Morris, Area Vice President for Coca-Cola, presented the Salt Lake City Winter Olympic Torch to the City of Fort Worth and to Master Equilla Mobley, who was the winner in the contest drawing.</b>  <b>Ms. Hazel Harvey Peace addressed the Council and stated how proud she was to have carried the torch for the City and advised Council that she was donating her torch to the Fort Worth Public Library to be displayed in the Hazel Harvey Peace Section of the Children's Library.</b>
<b>Announcements</b>	<b>Mayor Barr introduced his wife, Karen, in the audience who had brought two special guests with her, Ms. Silvia Riva and Mr. Mauro Bigi from our Sister City, Reggio Emilia, Italy.</b>

**Council Member Haskin announced that the final meeting on the Gateway Park master plan would be held March 4, 2002, at 7:00 p.m. at the East Regional Library.**

**Mayor Barr announced that the public meeting relative to the redistricting process was held Monday and stated that it was a very productive meeting. He added that Council was presented with five maps and that they could be viewed on the City's web page and citizen comments could be received by calling the Redistricting Hotline at (817) 871-7371. He stated that the next public hearing would be held Thursday, February 28, 2002, at 7:00 p.m. at Will Rogers Memorial Center Auditorium.**

**Mayor Barr announced that there was a Regional Summit on Emergency Preparedness conducted last Friday, with about 300 in attendance. He stated that North Central Texas Regional Council of Governments would address some of the communication and linkages issues. He further stated that overall we were well prepared for any terrorist threat. He expressed appreciation to Assistant City Manager Libby Watson and other staff members who were involved with this successful summit.**

**Withdrawn from  
Consent Agenda**

**Council Member Moss requested that Mayor and Council Communication No. C-18954 be withdrawn from the consent agenda.**

**City Manager Jackson requested that Mayor and Council Communication Nos. L-13241 and C-18956 be withdrawn from the consent agenda.**

**Continued/  
Withdrawn By  
Staff**

**City Manager Jackson requested that Mayor and Council Communication No. L-13241 be withdrawn from the agenda.**

**Consent Agenda**

**On motion of Council Member Silcox, seconded by Mayor Pro tempore McCloud, the consent agenda, as amended, was adopted unanimously.**

**OCS-1265  
Claims**

**There was presented Mayor and Council Communication No. OCS-1265 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance Department. It was the consensus of the City Council that the recommendation be adopted.**

**G-13515  
Res. #2804  
Representation  
in Lawsuit - Luis  
T. Hernandez et  
al vs. City of Fort  
Worth et al, Civil  
Action No.  
4:99-CV-318-Y**

There was presented Mayor and Council Communication No. G-13515 from the City Manager recommending that the City Council adopt Resolution No. 2804 authorizing the maximum amount to be paid to Jay Rutherford to represent the City of Fort Worth in the subject lawsuit be increased from \$75,000.00 to \$130,000.00. It was the consensus of the City Council that the recommendation be adopted.

**G-13516  
Res. #2805  
Legal Counsel to  
Represent Board  
of Adjustment  
for Appeal by  
Restaurant  
Associates, Inc.**

There was presented Mayor and Council Communication No. G-13516 from the City Manager recommending that the City Council retain George Staples, Attorney at Law, as outside legal counsel to represent the Board of Adjustment in a hearing on the appeal by Restaurant Associates, Inc. from denial of a specialized certificate of occupancy for a sexually oriented business at 2300 Cobb Street, pursuant to Chapter VI, Section 3 of the City Charter; and adopt Resolution No. 2805 providing that, as far as practicable, the sum to be paid to George Staples for his services in this matter will not exceed \$3,000.00. It was the consensus of the City Council that the recommendation be adopted.

**G-13517  
Over-the-Street  
Banners to  
Promote 2002  
Entrepreneur  
Expo**

There was presented Mayor and Council Communication No. G-13517 from the City Manager recommending that the City Council authorize the installation of over-the-street banners in the 400 Block of West 7<sup>th</sup> Street and in the 300 Block of Main Street to promote the 2002 Entrepreneur Expo, and waive the fees associated with displaying over-the-street banners. It was the consensus of the City Council that the recommendation be adopted.

**G-13518  
Ord. #14959  
CLG Grant to  
Prepare  
Inventory of  
Historic Schools  
in Fort Worth**

There was presented Mayor and Council Communication No. G-13518 from the City Manager recommending that the City Council:

1. Authorize the City Manager to submit a Certified Local Government (CLG) grant application in the amount of \$2,100.00 to the Texas Historical Commission for the "Historic Public Schools" project and to accept the grant; and
2. Authorize the use of \$1,400.00 in General Fund salaries and fringe benefits as the 40 percent in-kind match for this grant; and

- 3. Adopt Appropriation Ordinance No. 14959 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$3,500.00 for the purpose of funding authorization to apply for and accept a Certified Local Government Grant to prepare an inventory of Historic Schools in Fort Worth.**

**It was the consensus of the City Council that the recommendation be adopted.**

**G-13519  
Ord. #14960  
Grant to NTCAC  
for Community  
Grant Program**

**There was presented Mayor and Council Communication No. G-13519 from the City Manager recommending that the City Council:**

- 1. Authorize the City Manager to submit a grant application to the North Texas Clean Air Coalition (NTCAC) for a Community Grant Program; and**
- 2. Authorize the City Manager to accept and execute the NTCAC grant contract, if awarded; and**
- 3. Adopt Appropriation Ordinance No. 14960 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$7,450.00 from the available funds for the purpose of funding grant application to North Texas Clean Air Coalition.**

**It was the consensus of the City Council that the recommendation be adopted.**

**G-13520  
Ord. #14961  
Appoint Simon  
C. Gonzalez and  
Brian W. Salvant  
as Municipal  
Judges**

**There was presented Mayor and Council Communication No. G-13520 from the City Manager recommending that the City Council adopt Ordinance No. 14961 appointing Simon C. Gonzalez and Brian W. Salvant as Municipal Judges for the unexpired portion of a two year term commencing February 18, 2002, and ending on March 31, 2002, or until a successor is qualified and appointed in accordance with state law.**

**Council Member Haskin requested that the City Council be thoroughly briefed about the judges when this issue comes before them in March.**

**Council Member Silcox made a motion, seconded by Council Member Moss, that the recommendation be adopted. The motion carried by the following vote:**

**AYES:** Mayor Barr; Mayor Pro tempore McCloud;  
Council Members Lane, Silcox, Haskin,  
Moss, Wentworth, and Davis

**NOES:** Council Member Picht

**ABSENT:** None

**Public Hearing** It appeared that the City Council set today as the date for a public hearing regarding the January 9, 2002 draft of the City of Fort Worth 2002 Comprehensive Plan. Mayor Barr asked if there was anyone present desiring to be heard.

Fernando Costa, representing the Planning Department, appeared before Council, presented a staff report and called attention to Mayor and Council Communication No. G-13521, as follows:

**G-13521  
January 9, 2002  
Draft of City's  
2002  
Comprehensive  
Plan**

There was presented Mayor and Council Communication No. G-13521 from the City Manager recommending that the City Council:

1. Conduct the public hearing on the January 9, 2002 draft of the City's 2002 Comprehensive Plan with revisions to Appendices D and E, as described in the memo to the Mayor and City Council from Assistant City Manager Charles Boswell dated January 31, 2002, to allow the public the opportunity to give testimony and present written evidence; and
2. Adjourn the public hearing; and
3. Schedule discussion of the public comments at the February 19, 2002 Pre-Council meeting.

**Linda Clark**

Ms. Linda Clark, 2842 5<sup>th</sup> Avenue, appeared before the City Council and expressed gratitude to the City Council for the newly revised Comprehensive Plan, with hope that the Berry Street Initiative would become part of the 2003 update.

- Jim Parr**                      **Mr. Jim Parr, President Elect for the Greater Fort Worth Association of Realtors, Inc., 2301 Ridgmar Plaza # 19, appeared in favor of the Comprehensive Plan, with two additional requests: 1) the updated Comprehensive Plan include a clear statement of policy that City Council initiated rezoning, which reduces the value of property without the consent of the property owner, would not be used as an implementation tool; and 2) that the discussion of rezoning contained in the plan be revised to reflect the actual policy of the Comprehensive Plan and its intention to use Council initiated rezoning as an implementation tool where necessary.**
- Mayor Barr informed Mr. Parr that he did not believe that the City Council would take a position one way or another on this issue.**
- Dan Sykes**                      **Mr. Dan Sykes, President of the Presbyterian Night Shelter, 777 Main Street, Suite 1300, appeared before the City Council and advised Council that the Comprehensive Plan should address the crucial and immediate problem of homelessness and that the City should provide direct and substantial funding.**
- Linda Johnson**                **Ms. Linda Johnson, President of the Overton Woods Homeowners Association, 3405 Rustwood, appeared before the City Council and expressed continued support for the 2002 update, but stated that it was predicated on maintaining the residential character of the neighborhood. She stated that the Association was on record opposing the interchange at the intersection of the proposed SH121 and Bellaire Drive South.**
- Byron de Sousa**                **Dr. Byron de Sousa, Chair of the City Plan Commission, appeared before the City Council in support of the 2002 Comprehensive Plan update and expressed appreciation to staff for their leadership.**
- There being no one else present desiring to be heard in connection with the January 9, 2002 draft of the City of Fort Worth 2002 Comprehensive Plan, Council Member Haskin made a motion, seconded by Mayor Pro tempore McCloud, that the public hearing be closed and that a discussion of the public comments be scheduled at the February 19, 2002 Pre-Council meeting. The motion carried unanimously.**
- G-13522**                      **There was presented Mayor and Council Communication No. G-**  
**Ord. #14962**                      **13522 from the City Manager recommending that the City Council**  
**Appoint**                              **adopt Ordinance No. 14962 appointing Franklin D. Clark, Jr., Ann**  
**Substitute**                           **Y. Collins, Darcy A. Deno, Nemuel E. Pettie, James E. Pritchard,**  
**Municipal**                           **and Patricia L. Summers as Substitute Municipal Judges for the**  
**Judges**                              **remainder of an unexpired one-year term commencing February**

18, 2002, and ending March 31, 2002, or until a successor is qualified and appointed in accordance with state law. Mayor Pro tempore McCloud made a motion, seconded by Council Member Lane, that the recommendation be adopted. The motion carried unanimously.

**G-13523  
Res. #2806  
Joint Resolution  
with City of Lake  
Worth**

There was presented Mayor and Council Communication No. G-13523 from the City Manager recommending that the City Council approve Joint Resolution No. 2806 with the City of Lake Worth recognizing that the cities will cooperate in addressing drainage issues and road access issues in the area along the boundary line between the cities near the intersection of SH199 (Jacksboro Highway) and IH820. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

**G-13524  
Ord. #14963  
Reduce Number  
of Taxicabs -  
Cowboy Cab  
Company**

There was presented Mayor and Council Communication No. G-13524 from the City Manager recommending that the City Council approve the request from Cowboy Cab Company to reduce the number taxicabs it is authorized to operate on public streets, alleys and thoroughfares of the City of Fort Worth; and approve Ordinance No. 14963 amending City Ordinance No. 14234 reducing the number of taxicabs (from 100 to 25) that Cowboy Cab Company is authorized to operate on public streets, alleys and thoroughfares of the City of Fort Worth. Council Member Picht made a motion, seconded by Council Member Moss, that the recommendation be adopted. The motion carried unanimously.

**G-13525  
Ord. #14964  
Reduce Number  
of Taxicabs  
Authorized -  
Darya, Inc. d/b/a  
Executive Taxi**

There was presented Mayor and Council Communication No. G-13525 from the City Manager recommending that the City Council approve a request from Darya, Inc. d/b/a Executive Taxi to reduce the number of taxicabs it is authorized to operate on public streets, alleys and thoroughfares of the City of Fort Worth; and approve Ordinance No. 14964 amending City Ordinance No. 14233 reducing the number of taxicabs (from 100 to 30) that Darya, Inc. d/b/a Executive Taxi is authorized to operate on public streets, alleys and thoroughfares of the City of Fort Worth. Council Member Moss made a motion, seconded by Council Member Picht, that the recommendation be adopted. The motion carried unanimously.

**P-9545  
Reflective and  
Non-Reflective  
Sign Sheeting**

There was presented Mayor and Council Communication No. P-9545 from the City Manager recommending that the City Council:

1. Authorize a purchase agreement with multiple vendors for reflective and non-reflective sign sheeting for the Transportation and Public Works Department, with payment due 30 days after receipt of the invoice and freight included in the unit price; and

**Item Nos.**

**Company**

1-7

Nippon Carbide Industries (USA),  
Inc.

8-26

3M Company

2. Authorize this agreement to begin February 12, 2002, and expire February 11, 2003, with options to renew for two successive one-year periods.

It was the consensus of the City Council that the recommendation be adopted.

**L-13241  
Withdrawn**

It was the consensus of the City Council that Mayor and Council Communication No. L-13241, Approve the Sale of the Tax Foreclosure Surplus Property located at 1347 Richmond Avenue to the Adjoining Property Owner Joyce Harris (DOE 920), be withdrawn.

**L-13242  
Permanent  
Sanitary Sewer  
Easements**

There was presented Mayor and Council Communication No. L-13242 from the City Manager recommending that the City Council approve the acceptance of three permanent sanitary sewer easements described as part of Tract 2B5, Abstract No. 1972, J. M. Steiner Survey and part of Lot 6, Block 3, Hollow Hills Addition, Tarrant County Texas, owned by James R. Dunnagan, and part of Tracts 31C and 31D, Abstract No. 1341, R. R. Ramey Survey, Tarrant County, Texas, owned by Sierra Developers, Inc. required for the Meadowbrook Annexation Case No. A-00-21 Sewer Extension (DOE 3296) for a total cost of \$3.00. It was the consensus of the City Council that the recommendation be adopted.



**L-13243  
Sale of Tax  
Foreclosure  
Property**

There was presented Mayor and Council Communication No. L-13243 from the City Manager recommending that the City Council approve the sale of tax foreclosure property described at Lot 8, Block 3 (2228 Bethune Street), Stallcups Third Filing to Sweet Home Missionary Baptist Church (DOE 920) in accordance with Section 34.015 of the Texas State Property Tax Code; and authorize the City Manager to execute the appropriate deed conveying the property to Sweet Home Missionary Baptist Church, and record the deed. It was the consensus of the City Council that the recommendation be adopted.

**L-13244  
Lease Extension  
for Office Space**

There was presented Mayor and Council Communication No. L-13244 from the City Manager recommending that the City Council authorize the City Manager to execute a lease extension for office space located at 2001 East Loop 820 South for the Police Department from H. J. Clinton, Sr. at a cost of \$7,800.00 per year; and approve the lease extension term of one year beginning March 1, 2002, and expiring February 28, 2003, with two options to renew for one year each. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2352  
Ord. #14965  
Sanitary Sewer  
Easement  
Vacation  
VA-01-1010**

There was presented Mayor and Council Communication No. PZ-2352 from the City Manager recommending that the City Council adopt Ordinance No. 14965 vacating a 20-foot wide by 700-foot long sanitary sewer easement located in Lots 26 through 31, Block 26, and Lots 17 and 18, Block 22, Marine Creek Estates Addition, Fort Worth, Tarrant County, Texas. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2353  
Ord. #14966  
Utility Easement  
Vacation  
VA-01-1017**

There was presented Mayor and Council Communication No. PZ-2353 from the City Manager recommending that the City Council adopt Ordinance No. 14966 vacating eight 10-foot by 10-foot utility easements, located in Lots 2, 4, 6 and 8, Block 4, and Lots 2, 4, 6 and 8, Block 5, The Vineyards at Heritage Addition, Fort Worth, Texas. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2354  
Ord. #14967  
Utility Easement  
Vacation  
VA-01-1021**

There was presented Mayor and Council Communication No. PZ-2354 from the City Manager recommending that the City Council adopt Ordinance No. 14967 vacating a portion of a utility easement situated along the west line of Lot 20, Block 5, Coventry Hills Addition, Fort Worth, Texas. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2355  
Ord. #14968  
Utility Easement  
Vacation  
VA-01-1022**

**There was presented Mayor and Council Communication No. PZ-2355 from the City Manager recommending that the City Council adopt Ordinance No. 14968 vacating a portion of a utility easement situated along the east lot line of Lot 19, Block 5, Coventry Hills Addition, Fort Worth, Texas. It was the consensus of the City Council that the recommendation be adopted.**

**PZ-2356  
Ord. #14969  
Annexation of  
224.681 Acres of  
Land Out of  
Ramon Gangara  
Survey, Abstract  
No. 563; Texas &  
Pacific Railroad  
Company  
Survey, Abstract  
No. 1568; and  
Alexander, Crain,  
Harris & Brooks  
Survey, Abstract  
No. 55, Tarrant  
County  
AX-02-0001**

**There was presented Mayor and Council Communication No. PZ-2356 from the City Manager recommending that the City Council adopt Ordinance No. 14969 declaring certain findings; providing for the extension of certain boundary limits of the City of Fort Worth; providing for the annexation of a certain 224.681 acres (.351 square miles) of land, more or less, out of the Ramon Gangara Survey, Abstract No. 563, the Texas & Pacific Railroad Company Survey, Abstract No. 1568, and the Alexander, Crain, Harris & Brooks Survey, Abstract No. 55, Tarrant County, Texas; said 224,681 acres of land (Annexation Case No. AX-02-0001), which said territory lies adjacent to and adjoins the present corporate boundary limits of Fort Worth, Texas; providing that the territory annexed shall bear its pro rata part of taxes; providing that the inhabitants thereof shall have all the privileges of all the citizens of Fort Worth, Texas; providing that this ordinance shall amend every prior ordinance in conflict herewith. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.**

**C-18951  
Constructors &  
Associates, Inc.**

**There was presented Mayor and Council Communication No. C-18951 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Constructors & Associates, Inc. in the amount of \$74,900.00 for renovations to the Will Rogers Memorial Center meeting rooms. It was the consensus of the City Council that the recommendation be adopted.**

**C-18952  
Ord. #14970  
S.H.U.C., Inc.**

**There was presented Mayor and Council Communication No. C-18952 from the City Manager recommending that the City Council:**

- 1. Authorize the transfer of \$477,212.86 from the Water and Sewer Fund to the Water Capital Project Fund in the amount of \$321,012.05, and the Sewer Capital Project Fund in the amount of \$156,200.81; and**

2. **Adopt Appropriation Ordinance No. 14970 increasing the estimated receipts and appropriations in the Water Capital Projects Fund in the amount of \$321,012.05 and in the Sewer Capital Projects Fund in the amount of \$156,200.81 from the available funds for the purpose of funding a contract to S.H.U.C., Inc. for Water and Sanitary Sewer Replacements Contract STM 99BB; and**
3. **Authorize the City Manager to execute a contract with S.H.U.C., Inc. in the amount of \$424,202.86 for Water and Sanitary Sewer Replacements Contract STM 99BB, for 75 working days.**

**It was the consensus of the City Council that the recommendation be adopted.**

**C-18953  
Ord. #14971  
Amendment #1  
to CSC #27005 –  
Baird Hampton &  
Brown, Inc.**

**There was presented Mayor and Council Communication No. C-18953 from the City Manager recommending that the City Council:**

1. **Authorize the City Manager to transfer \$43,674.00 from the Water and Sewer Fund to the Water Capital Project Fund in the amount of \$18,330.00, and the Sewer Capital Project Fund in the amount of \$25,344.00; and**
2. **Adopt Appropriation Ordinance No. 14971 increasing the estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$18,330.00 and the Sewer Capital Project Fund in the amount of \$25,334.00 from available funds for the purpose of funding Amendment No. 1 to engineering agreement with Baird Hampton & Brown, Inc. for sanitary sewer extension to serve Fort Worth Spinks Airport; and**
3. **Authorize the City Manager to execute Amendment No. 1 to City Secretary Contract No. 27005, an engineering agreement with Baird Hampton & Brown, Inc. in the amount of \$43,674.00 to provide for additional design and survey services, thereby increasing the contract amount to \$171,176.00.**

**It was the consensus of the City Council that the recommendation be adopted.**

**C-18954  
Harris Methodist  
Hospital Fort  
Worth and JPS  
Main Hospital**

There was presented Mayor and Council Communication No. C-18954 from the City Manager recommending that the City Council authorize the City Manager to enter into contracts to disburse \$65,414.00 in Metropolitan Medical Response System (MMRS) funds and equipments to Harris Methodist Hospital Fort Worth, and \$10,981.00 in decontamination and personnel protective equipment to the John Peter Smith Main Hospital. The U. S. Department of Health and Human Services, Office of Emergency Preparedness has approved these funds for this purpose under the MMRS contract.

Council Member Moss informed Council that he had filed a Conflict of Interest Affidavit with the City Secretary and would abstain from voting on this issue.

Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried by the following vote:

**AYES:** Mayor Barr; Mayor Pro tempore McCloud;  
Council Members Lane, Silcox, Haskin,  
Picht, Wentworth, and Davis

**NOES:** None

**ABSENT:** None

**NOT VOTING:** Council Member Moss

**C-18955  
Industrial  
Hygiene and  
Safety  
Technology, Inc.**

There was presented Mayor and Council Communication No. C-18955 from the City Manager recommending that the City Council enter into an annual agreement with Industrial Hygiene and Safety Technology, Inc. for industrial hygiene and asbestos assessment services for an amount not to exceed \$100,000.00 per year for the period February 1, 2002, to January 31, 2003, with the option to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**C-18956  
CH<sub>2</sub>M Hill**

There was presented Mayor and Council Communication No. C-18956 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with CH<sub>2</sub>M Hill for engineering services related to a comprehensive vulnerability assessment of the water system for a cost not to exceed \$292,300.00.

City Manager Jackson advised Council that the commitment of 51 percent should be corrected to read 26 percent M/WBE participation.

Council Member Moss made a motion, seconded by Council Member Lane, that Mayor and Council Communication No. C-18956 be approved, as amended. The motion carried unanimously.

**C-18957  
Carter &  
Burgess, Inc.**

There was presented Mayor and Council Communication No. C-18957 from the City Manager recommending that the City Council authorize the City Manager to execute a professional services agreement with Carter & Burgess, Inc. in the amount of \$69,100.00 for the design and preparation of construction documents for Far North Community Park Phase II Development. It was the consensus of the City Council that the recommendation be adopted.

**C-18958  
Ord. #14972  
Texas State  
Library and  
Archives  
Commission and  
U.S. Dept. of  
Education**

There was presented Mayor and Council Communication No. C-18958 from the City Manager recommending that the City Council:

1. Authorize the City Manager to apply for and accept a grant for the Interlibrary Loan Program in the amount of \$258,430.00 from the Texas State Library and Archives Commission, and the U.S. Department of Education; and
2. Authorize the City Manager to execute a grant contract with the Texas State Library and Archives Commission relating to such grant; and
3. Adopt Appropriation Ordinance No. 14972 increasing the estimated receipts and appropriations in the Grants Fund by \$258,430.00 from available funds for the purpose of funding Interlibrary Loan Services pursuant to a grant from the Texas State Library and Archives Commission and the U.S. Department of Education for the Interlibrary Loan Program; and
4. Authorize the City Manager to apply indirect costs according to Administrative Regulation 3-15 using the most recently approved indirect cost rate of 22.69 percent for this department.

It was the consensus of the City Council that the recommendation be adopted.

**C-18959  
Carter &  
Burgess, Inc.**

**There was presented Mayor and Council Communication No. C-18959 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Carter & Burgess, Inc. for platting and survey services associated with the Texas Motor Speedway for a lump sum fee of \$45,000.00. Council Member Lane made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.**

**C-18960  
Rodeo Plaza, Inc.**

**There was presented Mayor and Council Communication No. C-18960 from the City Manager recommending that the City Council authorize the City Manager to execute a License Agreement with Rodeo Plaza, Inc. for the rights to manage and operate the Cowtown Coliseum, the adjoining run-out barn, and the outside arena. Council Member Davis made a motion, seconded by Council Member Lane, that the recommendation be adopted. The motion carried unanimously.**

**Council Member Lane acknowledged the presence of the distinguished Mayor of Northside, Mr. Steve Murrin.**

**C-18961  
Coda  
Construction,  
Inc.**

**There was presented Mayor and Council Communication No. C-18961 from the City Manager recommending that the City Council authorize the reallocation of \$23,277.00 in Year XXVI Community Development Block Grant unprogrammed funds for renovation of the Bradley Center; and authorize the City Manager to execute a contract with Coda Construction, Inc. in the amount of \$118,508.12 for renovation of the Bradley Center, including alternates 1, 2, and 3, with a contract time of 60 calendar days. Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.**

**C-18962  
Res. #2807  
TxDOT**

**There was presented Mayor and Council Communication No. C-18962 from the City Manager recommending that the City Council:**

- 1. Adopt Resolution No. 2807 approving a Local Transportation Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation for a Surface Transportation Program/Metropolitan Mobility Project for Lancaster Avenue from IH-35W to Henderson Street; and**

2. Authorize the execution of the LPAFA with the Texas Department of Transportation (TxDOT) and approve the City's share of the total design and construction costs estimated to be \$3,537,000.00; and
3. Authorize the City Manager to remit a check in the amount of \$25,000.00 made payable to the TxDOT representing first payment as required by the LPAFA.

Council Member Davis made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

C-18963  
Cancel Existing  
Contract, CSC  
#25669 – New  
Contract with  
EDAW, Inc.

There was presented Mayor and Council Communication No. C-18963 from the City Manager recommending that the City Council cancel the remainder of the Phase Two portion of City Secretary Contract No. 25669 with EDAW, Inc. in association with Gideon Toal, which was a contract balance of \$434,942.00; and authorize the City Manager to enter into a new contract with EDAW, Inc. in association with other engineering and planning firms for urban design and engineering services for a Surface Transportation Program/Metropolitan Mobility Project for Lancaster Avenue from IH-35W to Henderson Street, in the amount of \$1,318,284.00. Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

Regular Zoning  
Hearing

It appeared to the City Council that Resolution No. 2798 was adopted on January 22, 2002, setting today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the Commercial Recorder the official newspaper of the City of Fort Worth, on January 23, 2002. Mayor Barr asked if there was anyone present desiring to be heard.

ZC-01-018A  
Continued Until  
April 9, 2002

It appeared to the City Council that Resolution No. 2798 was adopted on January 22, 2002, setting today as the date for the hearing in connection with Zoning Docket No. ZC-01-018A, Text Amendment regulating telecommunications towers and stealth telecommunications towers. Mayor Barr asked if there was anyone present desiring to be heard.

**Mr. John Garfield, representing the Development Department, appeared and advised Council that this proposal creates two types of towers, telecommunication and stealth towers. He further stated that stealth towers were allowed in all zoning districts, but with some requiring a Special Exception through the Board of Adjustment and that the stealth towers would need to be reviewed by the Design Review Board.**

**There being no one else present desiring to be heard in connection with the recommended Text Amendment, Mayor Pro tempore McCloud made a motion, seconded by Council Member Wentworth, that Zoning Docket No. ZC-01-018A be continued until the April 9, 2002 City Council meeting. The motion carried unanimously.**

**ZC-01-1052  
SP-01-1018  
Continued until  
March 19, 2002**

**It appeared that the City Council, at its meeting of January 8, 2002, continued the hearing of the application of Kelly Capital Investments for a change in zoning of property located at 250 University Drive from "C" Medium Density Multi-Family to "PD/SU" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial for retail/showroom for equipment rental plus outdoor storage and display, hours of operation 7:00 a.m. to 5:30 p.m., Monday through Saturday, no storage of materials above height of fence, and no intrusion by lights on adjacent property, Zoning Docket No. ZC-01-1052 and Site Plan SP-01-1018. (See Letter of Continuance). Mayor Barr asked if there was anyone present desiring to be heard.**

**There being no one present desiring to be heard in connection with the application of Kelly Capital Investments, Council Member Davis made a motion, seconded by Council Member Silcox, that the hearing be closed and that Zoning Docket No. ZC-01-1052 and Site Plan No. SP-01-1018 be continued until March 19, 2002. The motion carried unanimously.**

**ZC-01-1074  
Continued until  
March 19, 2002**

**Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud that the application of Texas Christian University for a change in zoning of various properties Zoning Docket No. ZC-01-1074, be continued until March 19, 2002. The motion carried unanimously.**



**ZC-01-1081**  
**Continued for**  
**One Week**

It appeared that the City Council, at its meeting of January 29, 2002, continued the hearing in connection with Zoning Docket No. ZC-01-1081, Text Amendment changing requirements for property owners to nominate area for designation as Historic and Cultural Landmarks District and apply for removal of Historic and Cultural Landmarks District designation. Mayor Barr asked if there was anyone present desiring to be heard.

There being no one present desiring to be heard in connection with the Text Amendment, Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that Zoning Docket No. ZC-01-1081 be continued for one week. The motion carried unanimously.

**ZC-01-1084**  
**Approved**

Council Member Silcox made a motion, seconded by Council Member Davis, that the application of Larry E. Smith for a change in zoning of property located at 3208-3212 Joyce Drive from "FR" General Commercial Restricted to "I" Light Industrial, Zoning Docket No. ZC-01-1084, be approved. The motion carried unanimously.

**ZC-02-001**  
**Approved**

Council Member Lane made a motion, seconded by Council Member Wentworth, that the application of Scott Homes, LLC for a change in zoning of property located in the 3000-3800 Block of Bonds Ranch Road West from "AG" Agricultural to "A-10" and "A-21" One-Family, Zoning Docket No. ZC-02-001, be approved. The motion carried unanimously.

**ZC-02-002**  
**Approved**

Council Member Wentworth made a motion, seconded by Council Member Davis, that the application of the City of Fort Worth Planning Department for a change in zoning of property located at 11301-11441 Northpointe Court from "R-2" Townhouse/Cluster Residential to "A-5" One-Family, Zoning Docket No. ZC-02-002, be approved. The motion carried unanimously.

**ZC-02-003**  
**Continued until**  
**March 19, 2002**

Council Member Moss made a motion, seconded by Council Member Haskin, that the application of Alan Blakeman for a change in zoning of property located in the 13100 Block of Euless Street from "AG" Agricultural to "I" Light Industrial, Zoning Docket No. ZC-02-003, be continued until March 19, 2002. The motion carried unanimously.

- ZC-02-004  
Approved** Council Member Wentworth made a motion, seconded by Council Member Silcox, that the application of Mike Sandlin Homes, Inc. for a change in zoning of property located in the 6000 Block of W. J. Boaz Road from "CR" Low Density Multi-Family, "AR" One-Family Restricted and "E" Neighborhood Commercial to "A-5" One-Family, "AR" One-Family Restricted and "CR" Low Density Multi-Family, Zoning Docket No. ZC-02-004, be approved. The motion carried unanimously.
- ZC-02-038  
SP-02-001  
Approved** Mayor Pro tempore McCloud made a motion, seconded by Council Member Moss, that the application of Polytechnic Community Development Corporation for a change in zoning of property located at 2841 Avenue G from "B" Two-Family to "PD/SU" Planned Development/Specific Use for neighborhood meeting rooms, office and four apartments, Zoning Docket No. ZC-02-038 and Site Plan SP-02-001, be approved. The motion carried unanimously.
- Jim Schell** Mr. Jim Schell, representing the applicant, Reilly Brothers Property Co., 901 Fort Worth Club, appeared before the City Council and requested minor changes be approved relative to Site Plan, SP-02-002. He delivered a copy of the revised site plan to each Council Member and advised the Council that 35 percent of the property was still landscaped.
- ZC-02-040  
SP-02-002  
Approved** Council Member Wentworth made a motion, seconded by Council Member Silcox, that the application of Reilly Brothers Property Company for a change in zoning of property located in the 3100 Block of West Loop 820 from "F" General Commercial to "PD/SU" Planned Development/Specific Use for all uses in "F" plus office, shop, vehicle maintenance and repair, (inside only) vehicle washing, material testing and inside storage (all associated with a general contractor business), and site plan required, Zoning Docket No. ZC-02-040 and Site Plan SP-02-002, be approved, as amended, with minor changes to the site plan. The motion carried unanimously.
- ZC-02-041  
Approved** Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the application of James L. Cabello for a change in zoning of property located at 501, 507, 511 and 515 East Weatherford Street from "G" Intensive Commercial to "H" Central Business District, Zoning Docket No. ZC-02-041, be approved. The motion carried unanimously.

**Special Zoning  
Hearing  
ZC-01-017  
Continued until  
March 19, 2002,  
with  
readvertisement  
of Tracts 15 and  
17**

**It appeared that the City Council, at its meeting of November 13, 2001, continued the Special Zoning Hearing concerning the application of the City of Fort Worth Planning Department for a change in zoning of properties described below, Zoning Docket No. ZC-01-017, be approved/denied as reflected:**

**Approved:**

**Tract 9            5800-6000 Block of Eastland Street and 5800-6000  
Block of Grayson Street from "E" Neighborhood  
Commercial to "A-5" One-Family**

**Denied:**

**Tract 10          5700-6500 Wilbarger Road and 3800-4300 Block of  
South Cravens Road from "B" Two-Family to "A-10"  
One-Family**

**Tract 15          5700-6500 Wilbarger Road (6025 Wilbarger Road) from  
"IP" Industrial Park to "A-10" One-Family**

**Tract 17          5700-6500 Wilbarger Road (5736 Wilbarger Road) from  
"J" Medium Industrial to "A-10" One-Family**

**Mayor Barr asked if there was anyone present desiring to be heard.**

**There being no one present desiring to be heard in connection with the application of the City of Fort Worth Planning Department, Council Member Moss made a motion, seconded by Council Member Lane, that the Special Zoning Hearing for Zoning Docket No. ZC-01-017, be continued until March 19, 2002, with Tract 15 to be readvertised as a change in zoning from "IP" Industrial Park to "PD/SU" Planned Development/Specific Use for all uses in "A-10" One-Family and stable. Tract 17 to be readvertised from "J" Medium Industrial to "A-7.5" One-Family instead of "A-10" One-Family.**

**Vaughn Bailey**

**Mr. Vaughn Bailey, 3340 Camp Bowie Blvd., appeared before the City Council in opposition to the proposed down zoning of "A-7.5". He stated that it should be a less restrictive zoning, and that that if it would be helpful, he would be happy to work with Council Member Moss and staff for a more suitable zoning designation.**

**The motion carried unanimously.**

City Attorney Yett advised the City Council that staff had reviewed these changes and the Council has the power to adopt this zoning. He stated that because this case was noticed under another requested zoning change, state law requires the case to be renoticed.

**ZC-01-080  
SP-01-014  
Denied Without  
Prejudice**

Council Member Lane made a motion, seconded by Council Member Davis, that the application of West Comm Investment, Ltd., for a change in zoning of property located in the 700 Block of Country Road #4005 (southeast quad of Hicks Road and Wagley Robertson Road) from "E" Neighborhood Commercial to "PD/SU" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial plus extraction of oil and gas drilling production, Zoning Docket No. ZC-01-080 and Site Plan SP-01-014, be denied without prejudice and the application fee refunded. The motion carried unanimously.

**ZC-01-101  
SP-01-017  
Denied Without  
Prejudice**

Council Member Lane made a motion, seconded by Council Member Davis, that the application of Beechwood Business Park Joint Venture by James W. Schell for a change in zoning of property located east of FM-156 and south  $\frac{3}{4}$  mile of SH-144 from "K" Heavy Industrial to "PD-SU" Planned Development/Specific Use for all uses in "K" Heavy Industrial plus oil and gas mining/drilling production, Zoning Docket No. ZC-01-101 and Site Plan SP-01-017, be denied without prejudice and the application fee refunded. The motion carried unanimously.

**SP-01-1001  
Denied Without  
Prejudice**

Council Member Lane made a motion, seconded by Council Member Davis, that the application of Beechwood Business Park Joint Venture for a change in zoning of property located east of FM-156, south of SH-114 and north of Elizabeth Creek amending "PD-403" site plan for all uses in "K" Heavy Industrial plus gas mining and drilling production plus substation, Site Plan No. SP-01-1001, be denied without prejudice and the application fee refunded. The motion carried unanimously.

**ZC-02-005  
Returned to  
Zoning  
Commission**

Council Member Lane made a motion, seconded by Council Member Silcox, that the application of Kim Tran for a change in zoning of property located at 1912 Northeast 28<sup>th</sup> Street and 2712 Glendale Avenue from "E" Neighborhood Commercial to "PD/SU" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial plus entertainment hall for public rental with alcohol use and site plan waiver requested, Zoning Docket No. ZC-02-005, be returned to the Zoning Commission for rehearing.

**Leticia Ocura**            **Ms. Leticia Ocura, 3108 Runnels, appeared before the City Council and stated that this zoning change would allow the sale of alcohol and advised that the community was trying to make the area more attractive in order to attract tourists. She further advised that the owner of the property had not attempted to clean up the trash.**

**Gloria Sample**            **Ms. Gloria Sample, 2611 Glendale Avenue, appeared before the City Council and advised them that there was no need for another place to sale alcohol; a City park abuts the property; and stated that there was trash everywhere. The young adults also seemed to congregate and play loud music on the lot, as late as 3:00 a.m. She spoke in favor of the denial of Zoning Docket No. ZC-02-005.**

**The motion carried unanimously.**

**ZC-02-006**            **Council Member Haskin made a motion, seconded by Council**  
**Denied With**            **Member Davis, that the application of John Gann for a change in**  
**Prejudice**            **zoning of property located at 3200 Browning Court from “A-5”**  
                              **One-Family to “PD/SU” Planned Development/Specific Use for the**  
                              **continued use of a single family home with two garage apartments**  
                              **and site plan waiver requested, Zoning Docket No. ZC-02-005, be**  
                              **denied with prejudice. The motion carried unanimously.**

**There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Davis made a motion, seconded by Council Member Silcox, that the hearing be closed and that the following ordinance be adopted:**

**ORDINANCE NO. 14973**

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON “DISTRICT MAPS”; PURPOSE AND CONFLICT; PROVIDING CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.**

**The motion carried unanimously.**

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**Adjournment**

**There being no further business, the meeting was adjourned at  
8:47 p.m.**